

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:20-cv-00516-FDW-DSC

PENN NATIONAL INSURANCE COMPANY,	SECURITY)	
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
HOOPAUGH GRADING COMPANY, LLC)	
PULTE HOME COMPANY, LLC)	
HOOPAUGH GRADING, LLC,)	
)	
Defendants.)	
)	

THIS MATTER is before the Court sua sponte as to the status of this case. On July 26, 2022, the parties filed a consent motion to extend deadlines, including deadlines for filing dispositive motions and pretrial submissions, as well as the trial setting. (Doc. No. 57.) In that filing, the parties requested the deadline of October 21, 2022, for their submission of pretrial submissions. By proposing this deadline—the same deadline for which responses to dispositive motions were to be filed under the parties' requested extension of that deadline—the parties implicitly recognized that a ruling on summary judgment would not have occurred at the time pretrial submissions were due. The Court granted the parties' motion; however, it appears the deadline for pretrial submissions was not included in the Court's order. While the Court continues to review the parties' dispositive motions, the Court sees no need to delay the parties' filing of their pretrial submissions, particularly where it appears the parties anticipated such a filing prior to receiving a ruling on dispositive motions.

IT IS THEREFORE ORDERED that the parties' pretrial submissions due under this Court's standing orders and the Case Management Order governing this case shall be due by November 2, 2022.

IT IS FURTHER ORDERED that the parties shall include in their joint statement of the case a section updating the Court as to the status of the underlying litigation.

TAKE NOTICE that a pretrial conference in this matter will take place immediately following docket call on November 7, 2022, in Courtroom #5B of the Charles R. Jonas Building, 401 W. Trade Street, Charlotte, North Carolina.

IT IS SO ORDERED.

Signed: October 26, 2022


Frank D. Whitney
United States District Judge